

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

BERT MEYER,

Plaintiff,

vs.

MATSON NAVIGATION COMPANY,
INC.; and PACIFIC LIVESTOCK,
INC.,

Defendants.

CIVIL NO. 1:04cv-00049 HG-BMK
(In Admiralty)

DECLARATION OF RANDOLF
L.M. BALDEMOR; EXHIBITS "A"-
"H"

DECLARATION OF RANDOLF L.M. BALDEMOR

I, RANDOLF L.M. BALDEMOR, declare:

1. I am one of the attorneys representing Defendant Matson Navigation Company, Inc., and have personal knowledge of the information contained herein.

2. I am an attorney with the law firm of Goodsill Anderson Quinn & Stifel, LLP, and am licensed to practice law before the courts of the State of Hawaii.

3. Attached hereto as Exhibit "A" are true and correct copies of a transcript of a recorded statement prepared by Frank Gates Acclaim. The recorded statement was taken of Bert Meyer by Heidi Kahlbaum of Frank Gates Acclaim on October 17, 2002. The recorded statement was attached to Plaintiff Bert Meyer's initial disclosures. At trial, Matson Navigation intends to introduce the tape recording of the recorded statement and authenticate the transcript vis-à-vis the testimony of Heidi Kahlbaum and/or Bert Meyer.

4. Attached hereto as Exhibit "B" are true and correct copies of excerpts from Plaintiff's Response to Defendant Matson Navigation Co., Inc.'s First Request for Answers to Interrogatories and Production of Documents.

5. Attached hereto as Exhibit "C" is a true and correct copy of Plaintiff Bert Meyer's Supplemental Response to Defendant Matson Navigation Company, Inc.'s First Request for Answers to Interrogatories.

6. Attached hereto as Exhibit "D" is a true and correct copy of excerpts of the Deposition of Bert Meyer, taken on August 31, 2004.

7. Attached hereto as Exhibit "E" is a true and correct copy of the

expert report of Captain John Lawrence Bergin, dated August 12, 2005.

8. Attached hereto as Exhibit "F" are true and correct copies of excerpts from the Deposition of Paul A. Londynsky, taken on May 12, 2005.

9. Attached hereto as Exhibit "G" are true and correct copies of excerpts from the Deposition of Henry A. Olson, P.E., taken on May 11, 2005.

10. Attached hereto as Exhibit "H" is a true and correct copy of a photograph of the accident area in question, which was taken and produced by Plaintiff's counsel.

I declare the foregoing under penalty of perjury under the laws of the United States.

DATED: Honolulu, Hawaii, January 9, 2006.

/s/ Randolph L.M. Baldemor

RANDOLF L. M. BALDEMOR